

**ASSEMBLY BILL**

**No. 1159**

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**Introduced by Assembly Member Richardson**

February 23, 2007

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An act to amend Section 671.1 of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1159, as introduced, Richardson. Encroachment permits: fees.

Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law governs the issuance by the department of encroachment permits relative to state highway rights-of-way. Existing law generally authorizes the department to charge a fee for the issuance of encroachment permits, but provides that the fee schedule established by the department shall not produce a total estimated revenue in excess of the estimated total cost to the department for issuing encroachment permits, excluding the cost of issuing permits exempted by statute or regulation from the payment of fees. Revenue from the fees is deposited in the State Highway Account.

This bill would instead provide that the fee schedule established by the department shall produce a total estimated revenue that is equal to the estimated total cost to the department for issuing encroachment permits for which fees may be charged.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 671.1 of the Streets and Highways Code  
2     is amended to read:  
3     671.1. The department may establish a fee schedule and charge  
4     a fee for the issuance of permits pursuant to the provisions of this  
5     chapter, except that no such fee shall be charged by the department  
6     to any public corporation. The fee schedule established by the  
7     department shall ~~not produce a total estimated revenue in excess~~  
8     ~~of that shall be equal to~~ the estimated total cost to the department  
9     for administering the provisions of this chapter, excluding the cost  
10    of issuing permits exempted by statute or regulation from the  
11    payment of fees. Funds collected pursuant to this section shall be  
12    deposited in the State Highway Account in the State Transportation  
13    Fund.

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